PHYSICAL THERAPY BOARD OF CALIFORNIA COMPLAINT PROCESS

CONSUMER:

Calls or writes the Physical Therapy Board of California (PTBC). PTBC mails complaint forms.

DIVISION OF INVESTIGATION:

The case is referred to DOI and complaint is investigated to substantiate allegation.

Upon completion the case may be:

- closed, but retained for five years if the allegation could not be substantiated.
- closed, but retained indefinitely due to insufficient evidence to take action against a licensee.
- referred to the Office of the Attorney
 General
- · referred for issuance of a citation.
- referred to local district attorney or other law enforcement agency for criminal prosecution

CRIMINAL PROSECUTION:

The complaint may be referred to a local district attorney for criminal prosecution.

PTBC CONSUMER PROTECTION SERVICES:

Receives completed complaint forms from consumer . An enforcement analyst reviews the complaint to determine if:

- immediate investigation is needed and if so, transmits complaint to the Division of Investigation (DOI).
- · more information is needed.
- complaint is within the Board's jurisdiction and has merit.
- consultation with a physical therapist expert
- medical records, or other pertinent materials are needed.

If appropriate, complaint may be mediated at this time or if no apparent violation is determined, case may be closed without merit.

ATTORNEY GENERAL (AG):

On behalf of the PTBC the AG drafts Accusation (charges) and a hearing is scheduled. During prehearing conferences, a stipulation (admission) to the charges and an agreement to disciplinary action may occur and no hearing is necessary.

The AG may file a petition on behalf of PTBC to compel a competence or psychiatric examination in lieu of, or preceding the filing of an Accusation.

PROBATION MONITORING:

When probation has been imposed as part of the penalty on behalf of the PTBC, an investigator will provide monitoring.

ADMINISTRATIVE LAW JUDGE (ALJ):

A case is heard by an ALJ. A decision* is proposed and then referred to the PTBC for adoption. PTBC may:

- · adopt decision.
- increase penalty, following review of a transcript of the hearing by the members of the PTBC, and an opportunity for the PT to present oral and/or written argument.
- · reduce penalty
- *Which may be later appealed by respondent.

DIVERSION PROGRAM:

Licensees suffering from substance abuse or other conditions of mental impairment may be admitted to the Diversion Program.